

## STATEMENT OF THE CLAIMS

Claim 1-9. (canceled)

Claim 10. (currently amended) A boot, comprising:

an outer layer of stretchable leather;

an outsole;

an oversized toe box supported on the outsole and covered by the outer layer of stretchable leather, the toe box being sized to enclose a substantial thickness of compressible cold insulating material and the corresponding portion of a user's foot without compression of the cold insulating material when the boot is worn;

a layer of compressible cold insulating material in its uncompressed state, the cold insulating material having a constant thickness in the toe box area and the area adjacent to the toe box and a surface secured to the lower of the underside of the toe box and the inner surface of the stretchable leather layer; and

a lining having a first side facing the opposing surface of the cold insulating material and a second side generally facing the upper surface of a portion of a user's foot, the lining extending below the opposing surface of the cold insulating material a sufficient distance that the cold insulating material is not compressed between the toe box and the lining when the boot is worn.

11. (previously presented) The boot as recited in claim 10, further comprising:

a thinner layer of cold insulating material extending below the second side of the lining.

12. (cancelled)

13. (currently amended) A boot, comprising:

an outer layer of stretchable leather;

an outsole;

an oversized toe box supported on the outsole and covered by the outer layer of stretchable leather, the toe box being sized to enclose a substantial thickness of compressible cold insulating material and the corresponding portion of a user's foot without compression of the cold insulating material when the boot is worn;

a layer of compressible cold insulating material in its uncompressed state, the cold insulating material having a constant thickness in the toe box area and the area adjacent to the toe box and a surface secured to the lower of the underside of the toe box or the inner surface of the stretchable leather layer;

a lining having a first side facing the opposing surface of the cold insulating material and a second side generally facing the upper surface of a portion of a user's foot, the lining extending below the opposing surface of the cold insulating material a sufficient distance that the cold insulating material is not compressed between the toe box and the lining when the boot is worn;

a thinner layer of cold insulating material extending below the second side of the lining;  
and

a waterproof membrane extending below the thinner layer of cold insulating material.

14. (new) A boot, comprising:

an outer layer of stretchable leather;

a layer of compressible cold insulating material in its uncompressed state within the outer layer of stretchable leather;

an outsole;

a toe box supported on the outsole and arranged between the layer of compressible cold insulating material and the outer layer of stretchable leather such that the cold insulating material remains in an uncompressed state when the stretchable leather is stretched over the toe box and the thickness of the cold insulating material is constant in the toe box area and the area adjacent to the toe box area, the toe box being oversized to enclose a substantial thickness of compressible cold insulating material and the corresponding portion of a user's foot without compression of the cold insulating material either by the stretchable leather or by a user's foot when the boot is

worn; the layer of cold insulating material being secured to the lower of the underside of the toe box and the outer layer of stretchable leather and

a lining having a first side facing the opposing surface of the cold insulating material and a second side generally facing the upper surface of a portion of the user's foot, the lining extending below the opposing surface of the cold insulating material a sufficient distance that the cold insulating material is not compressed between the toe box and the lining when the boot is worn.

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